IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

WEDNESDAY, THE 8TH AUGUST 2007 / 17TH SRAVANA 1929

Crl.Rev.Pet.No. 989 of 1998(C)

CRA.361/1995 of IST ADDL. SESSIONS COURT, THRISSUR
SC.99/1993 of PRL. ASSISTANT SESSIONS COURT, THRISSUR
.....
REVN. PETITIONERS: APPELLANTS/ ACCUSED 1,3,5,7, 8. 13 & 161
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1. **K.K.SIDHAN ALIAS SIDHARTHAN,**
   KOKKARANIKKAL HOUSE, PULLU,THRISSUR TALUK.

2. **K.K.BHASKARAN,**
   KOKKARANIKKAL HOUSE, PULLU,THRISSUR TALUK.

3. **ELUVATHINGAL SUNNY, S/O.PATHROSE,**
   PULLU, THRISSUR TALUK.

4. **P.K.SHAJI, PATHIYATH HOUSE,THRISSUR.**

5. **T.K.DASAN, THAYATTU HOUSE,**
   PULLU, THRISSUR TALUK.

6. **M.V.BABUKUTTAN, MEMEDATH HOUSE,**
   PULLU, THRISSUR.

7. **T.M.BHASKARAN, THEKKOOTTU HOUSE,**
   VIJAYAMKOD DESOM,
   CHIRAKKAL TALUK PALAKKAD DISTRICT

BY ADV. SRI.P.V.CHANDRA MOHAN

RESPONDENT: RESPONDENT. COMPLAINANT

STATE OF KERALA, REP.BY THE CIRCLE INSPECTOR OF POLICE , GURUVAYOOR (CRIME NO.220/91 OF ANTHIKAD POLICE STATION), REP.BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM, KOCHI 31.

BY PUBLIC PROSECUTOR
SRI.B.K.PURUSHOTHAMAN

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 08/08/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

CRL.RP. NO.989/1998

ORDER ON CRL.MP. NO.4920/1998 IN CRL.RP. NO.989/1998

DISMISSED

08.08.2007 **SD/- K.R.UDAYABHANU, JUDGE**

/TRUE COPY/

P.A. TO JUDGE

tss

K.R.UDAYABHANU, J.

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Crl.R.P.No.989 of 1998 (C)

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Dated this the 8th day of August, 2007

O R D E R

The revision petitioners are the accused in S.C.No.99/1993 in the file of the Assistant Sessions Judge, Thrissur. They were charge sheeted for the offences under Sections 143, 147, 148, 324, 307 read with Section 149 of the Indian Penal Code and under Section 25 of the Arms Act and stands convicted for the offences under Sections 143, 147 and 326 read with Section 149 of the I.P.C. The injured persons filed an application to record settlement mentioning that there were a number of cases in between the persons affiliated to two rival political parties and in all the matters the cases were settled. They have also produced the judgment of this Court in a connected matter with respect to similar offences including the one under Section 326 I.P.C as per which the conviction was set aside on the basis of the compromise arrived at.

3. All the same, I find that Section 326 I.P.C is non compoundable. It is also seen that the incident is of the year 1990.

In the circumstances, the sentence imposed under Section 326 read with Section 149 I.P.C is modified to imprisonment till the rising of the court and to pay a fine of rupees five hundred each and in default to undergo simple imprisonment for one month each. No separate sentence is awarded for the rest of the offences. The accused shall appear before the trial court on 10/09/2007 to receive the sentence.

The criminal revision petition is disposed of as above.

K.R.UDAYABHANU,
Judge

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K.R.UDAYABHANU, J.

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Crl.R.P.No.989 of 1998 (C)

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O R D E R

8th August, 2007